

CHURCH AND STATE

A MONTHLY REVIEW



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Freedom for Church and State Requires Continued Separation, 7th Conference Speakers Declare

America will never lose its pre-eminence as a land of religious liberty so long as the constitutional system of church-state separation is maintained in principle and cherished by both government and people in practice, speakers at POAU's Seventh National Conference on Church and State agreed. In major addresses during the January 19-20 proceedings, Harold J. Ockenga, Leo Pfeffer, Frank H. Yost and Stanley I. Stuber pointed to specific areas of current United States domestic and foreign policy where the constitutional principle has been endangered.

Participants in panel discussions—including William A. Cook, Harold E. Fey, Frederick C. Fowler, William S. Stokes, Stanley I. Stuber and Clyde W. Taylor—gave first-hand reports on situations which they had personally encountered.

Speaking at the Constitution Hall mass meeting, Dr. Ockenga, minister of Boston's Park Street Church, asserted that "sectarianism" and secularism were threatening religious liberty from the "right" and from the "left," respectively. He added that the latter peril has been insufficiently recognized.

Pfeffer, counsel for the American Jewish Congress and principal speaker at the Seventh Annual POAU Banquet at the Hamline Methodist Church in Washington on January 19, said that government and the churches in the United States, intent on the "cold war" with Communism, are making serious errors which result in a confusion of the functions of church and state.

In his keynote address opening the January 20 daytime sessions in the Mt. Vernon Place Methodist Church, Dr. Yost, associate secretary of the Religious Liberty Association (Takoma Park, Md.) and editor of *Liberty* magazine, declared that freedom of conscience thrives only among peoples who are positively concerned with its preservation and that complacency, cynicism, and indifferentism are its mortal enemies.

Dr. Stuber, chairman of the commission on religious liberty of the Baptist World Alliance, told a January 20 luncheon meeting in the Mt. Vernon Place Methodist Church that

American leadership among nations had been jeopardized by the "mess" in Spain over the question of the marital rights of U. S. personnel stationed there. The remedy, he said, was for the United States to preach and practice "a consistent policy of high moral and spiritual principles" in all dealings with foreign countries—a policy which would leave no

room for "deals" such as the one attempted in Spain.

Citations for distinguished service in the cause of religious liberty during 1954 were presented at the banquet by Dr. Edward B. Willingham, minister of the National Baptist Memorial Church. Recipients were Dr. Joseph M. Dawson, POAU

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AT CONSTITUTION HALL



Shown above is a portion of the audience of approximately 3,000 who attended the Constitution Hall mass meeting on January 20. All are standing for the invocation given by the Rev. James M. Windham of Maryville, Tenn., a member of the POAU national advisory council.

Freedom Menaced by Two Forces, Ockenga Holds

Freedom of religion must not be made a synonym for "indifference to the truth," the Rev. Dr. Harold John Ockenga, minister of the Park Street Church of Boston, declared in his January 20 address in Constitution Hall at the concluding session of POAU's Seventh National Conference on Church and State.

"Freedom," he said, "does not imply that all religions are equally true. One may hold to his convictions and still be tolerant. Tolerance is the attitude of forbearance in reference to views and opinions of others. Intolerance is the refusal to all others of the enjoyment of their opinions and chosen modes of worship. Contradictory propositions cannot both be true either in logic or in religion. We can be tolerant of people but we cannot be indifferent to truth and error."

Dr. Ockenga, who said that he rejoiced in the activities of POAU, "which has been raised up in a time like this when the American heritage is being attacked from the right and the left," outlined what he called the two principal dangers confronting religious liberty today—"sectarianism" and "secularism."

"The historic infringement upon

the separation of church and state has been by denominational sects who desire a privileged position in the state so as to advance their interest," the speaker observed. "The Roman Catholic Church is the prime illustration of such sectarianism. Its position has been expressed by a Jesuit paper: 'The Roman Catholic Church, convinced, through its divine prerogatives, of being the only true church, must demand the right of freedom for herself alone, because such a right can only be possessed by the truth, never by error.' Demands have been made by various denominations from the early Congregationalists to the modern Roman Catholics which violate the principle of separation of church and state."

The "secularist" menace, according to Dr. Ockenga, has been largely overlooked because of a current overemphasis on the evils of sectarianism. "Secularism," he said, "is 'any view of life, education, etc., or any policy referring to such based on the premise that religion and religious considerations, as of God and future life, should be ignored or excluded.' This is the position of the naturalist, the materialist, the atheist and the positivist. These have no place for God in their thinking. The influence of the secularist view is growing in

this nation and is affecting our governmental outlook. . . ."

Examples of "sectarian" encroachments cited by Dr. Ockenga included: government support of denominational hospitals and child care institutions, publicly provided parochial school bus transportation and textbooks, the "action of Roman Catholicism in Detroit of suppressing freedom of the press by religious economic boycott when Protestant churches would publish a paid advertisement on the exaltation of Mary," the "political dominance of the School Committee in Boston by Roman Catholicism" and the transfer of public school property at nominal sums to the parochial school system, and the "demand that Roman Catholic judges make decisions in accordance with Roman Catholic principles rather than the laws of the states. . . ." He described non-Catholic encroachments as "intermittent," but added that "whether it is the N. College Hill (Ohio) case or the Vermont case, any encroachment upon the cardinal American principle must be resisted legally and forcefully."

Alluding to public school education, he said:

"Let us be aware then of the danger of denying religious freedom to the many because of the complaint of the few. Religious freedom must be protected for the Jew, the Roman Catholic, the Protestant and the non-Protestant sects, but we cannot teach, or live, or work in a religious vacuum. We must possess and propagate religion."

Dr. Ockenga also said that any move to "strip all religious and spiritual influences from government" might "well prepare us for the Communist attack."

BEFORE THE MASS MEETING



The Rev. Dr. Harold J. Ockenga, minister of Boston's Park Street Church, is pictured above (center) as he talked with Miss Charl Ormond Williams of the national board of trustees and Executive Director Glenn L. Archer shortly before Dr. Ockenga was to deliver his major address at the January 20 mass meeting in Constitution Hall.

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CHURCH AND STATE

NEWS *From Far and Near*

◆ An attack on "false religious teachers who, like robbers in the night, appear among our faithful and attempt to deceive them, luring them over into their own flock," was made recently by Patriarch Vikentije of the Serbian Orthodox Church in Yugoslavia. His message, which was published in the church monthly, "Glasnik," alluded primarily to Seventh-day Adventist proselytizers, whom he had attacked before. He urged Orthodox parents to redouble their efforts to provide religious education for their children in order to counteract the "false prophets."

◆ Roman Catholic residents of Middlebury, Vt., have petitioned State Attorney General F. Elliott Barber, Jr., to rule that publicly-financed bus transportation must be provided by their local school board for children attending St. Mary's parochial school. He had previously ruled that such transportation might be provided locally so long as it did not add to the cost of transporting public school pupils and state funds were not used, but the Roman Catholic parents, represented by Judge Madeleine C. Wood, want the aid to be made mandatory. Former Attorney General Clifton Parker held in 1951 that only public school pupils are eligible, and Barber's recent ruling was a departure from this stand. The question is: Will he now yield further?

◆ Religious freedom in Italy, in spite of recent court decisions favorable to it ("Church and State," December), is still limited by police officials acting in the spirit of the 1929 Lateran Agreement rather than that of the 1948 Constitution. The Rev. Anthony Caliendo, Italian-born American evangelist, has again been ordered to leave the country. (He had been forced to leave in April, 1953, but returned with his wife two months ago.) Another American, the Rev. Cline R. Paden of Brownfield, Tex., remains under continued harassment because of his efforts to post an identification sign in front of the Church of Christ in Rome. Thus there is much need for the Association for Religious Freedom in Italy which was formed recently by a group of Italian scholars, jurists and legislators meeting in Milan.

◆ In Oregon, a "school board cannot arbitrarily refuse permission for a released-time religious program, assuming the parents . . . have made application therefor in the manner prescribed by [the 1925] statute," but "discretion is vested in the board to approve or disapprove such application insofar as the same may interfere with the regular work of the school." This was the recent finding of State Attorney General Robert Y. Thornton, who also indicated that two hours a week is the maximum amount of released time permissible.

◆ "... if the tradition of Pius XII is carried on, we are now likely to witness a far more militant policy inside Roman Catholic countries in South America and Europe, aiming at keener and sharper ecclesiastical control in matters of education, divorce, censorship of entertainments and publications, and at ecclesiastical immunities from taxation and civic jurisdiction, with new Roman Catholic movements inside existing trade unions, as in Australia." So predicted Sylvia Sprigge in an article appearing in the London "Observer" of December 5, basing her analysis in part on the fact that Monsignor Giovanni Montini, until recently the Pope's Assistant Secretary for Diplomatic and Political Affairs, has been appointed Archbishop of Milan. Monsignor Montini, according to Miss Sprigge, had been chief architect of a program aimed at tying post-war democratic reforms to Roman Catholicism, but had made only limited progress in this direction because "Vatican policy sought far more for the Church than any democratically elected Christian Democrat party could ever obtain."

It's Wrong to 'Use' Church, Pfeffer Says

Religious institutions in the United States should under no circumstances allow themselves to be used as "an instrument of national policy," Leo Pfeffer, attorney and author, warned in his address on January 19 at the Seventh Annual POAU Banquet, held in the dining hall of the Hamline Methodist Church, Washington, D. C. Pfeffer observed that such use of the church had a "long and disreputable history" in foreign countries and that, transplanted to America, the practice would mean the end of religious freedom.

"While the temptation to use the church as an instrument of personal political aggrandizement has been successfully resisted in American history both by politicians—I do not use the term in any derogatory sense—and by churchmen," he said, "the temptation to use the church as an instrument of political policy is much stronger." He added that this danger is most apparent in the laudable effort to combat world Communist influence, where the "political policy has the support of practically all Americans, and that policy seems to us so morally right, and where frustration of that policy threatens to destroy the democratic institutions and traditions of our republic. . . ." In spite of the unquestioned desirability of the goal, Pfeffer argued, there are "many reasons" why the church should not allow itself to be so used, of which he listed six of the most compelling:

1. The millions of people living on the other side of the Iron Curtain, he said, have been indoctrinated by their governments—with the aid of the Russian Orthodox and other churches—to believe that their cause is just while that of the United States is "imperialistic and aggressive." "Even on this side of the Iron Curtain," Pfeffer continued, "there are millions in Italy who are Communist in their politics and devoutly Roman Catholic in their religion. In the long run, it brings harm to the church without substantially aiding our national policy for church leadership to broadcast throughout the world that God is exclusively on our side."

2. "If the church allows itself to be used as an instrument of our national policy in ideological war it

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Wrong to 'Use' Church

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cannot avoid its being used for the same purpose in armed war, and this, I submit, is blasphemy," Pfeffer declared. "The Israelites were not permitted to build the altar of God out of hewn stones for stones were hewn with swords and the use of a sword of war to build an altar of God would be blasphemy. . . . Jesus drove the coin-changers from the Temple, not because coin-changing was an ignoble pursuit—which, being the ancestor of the modern honorable profession of banking, it was not—but because the coins had on them the image of Caesar, and the presence of even the image of a man of war in the Temple of the Lord was a blasphemy."

3. "The church, by allowing itself to be used to further the policy of a particular nation or nations," Pfeffer continued, "forfeits its claim to be judge among all the nations. If it is the servant of one of the contestants it may not claim the right to judge between them. The church should long consider whether it is prepared to relinquish this claim."

4. "An alliance between a church and a state inevitably means loss of liberty to the church," Pfeffer maintained. "The Church of England pays dearly in religious liberty for the prestige and splendor of its establishment. It cannot pray or conduct its worship in the manner it wishes because the state, its master, will not allow it to do so. The favored church in Argentina is now suffering substantial restrictions on its liberty, and even in Spain, where alliance of church and state is closest, the church is protesting the censorship of its expression."

5. "A church which makes an alliance with a state brings upon itself the consequences of that state's policies, and unfortunately those policies may be corrupt and evil," the speaker continued. "The persecution suffered by the church in Soviet Russia is in no small measure attributable to its alliance with the corrupt and oppressive tsaristic regime whose instrument it was and whose policies it furthered. The same is true of the persecution suffered by the church in Mexico. I venture to suggest that the anti-clericalism which is so widespread in France can even today be traced in part to

the alliance between the church and the decadent Bourbon dynasty before the French Revolution and in part to its alliance with the military in the more recent period of the Dreyfus episode."

6. "An alliance between a church and a democratic state to further the interests of the state is self-defeating," Pfeffer declared. "Many have pointed out that in our present Cold War against Soviet totalitarianism we are aping that which we are fighting in the severe restrictions on civil liberty and freedom of expression which have been imposed throughout the nation. Should the church be used by the state in the present struggle it would be adopting the basic totalitarian philosophy that nothing is beyond the control and jurisdiction of the state. Democracy is predicated on the concept that there are some things which are too important to be subject to state control, and of these the relationship between man and his Creator is the most important. . . ."

The speaker also cited three recent examples of programs for joint action of church and state as typical of the well-intentioned but extremely dangerous kind of confusion against which he was warning. "Perhaps the clearest example," he

said, "is the proposal to establish diplomatic relations to the Vatican," which, he recalled, was largely justified in terms of "cold-war" strategy. Last year's broadcasts by the State Department of religious services in the Hungarian language over the Voice of America, was Pfeffer's second example. The third was the recent conference held in Washington, D. C., for the purpose of launching "a permanent organization called the Foundation for Religious Action in the Social and Civil Order," and at which all the papers and discussions were recorded for Voice of America use. Noting that Dr. Elton Trueblood attended in his capacity as the government-employed Chief of the Religious Section of the United States Information Agency, Pfeffer observed that the purpose of the Foundation appeared to be "to inform the people of God's choice, or, put perhaps somewhat more delicately, to promote an alliance between religion and anti-Communism."

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New Field of Service

Dr. Joy Elmer Morgan, recently retired as editor of the National Education Association Journal, is leading the newly formed Senior Citizens of America and editing its organ.

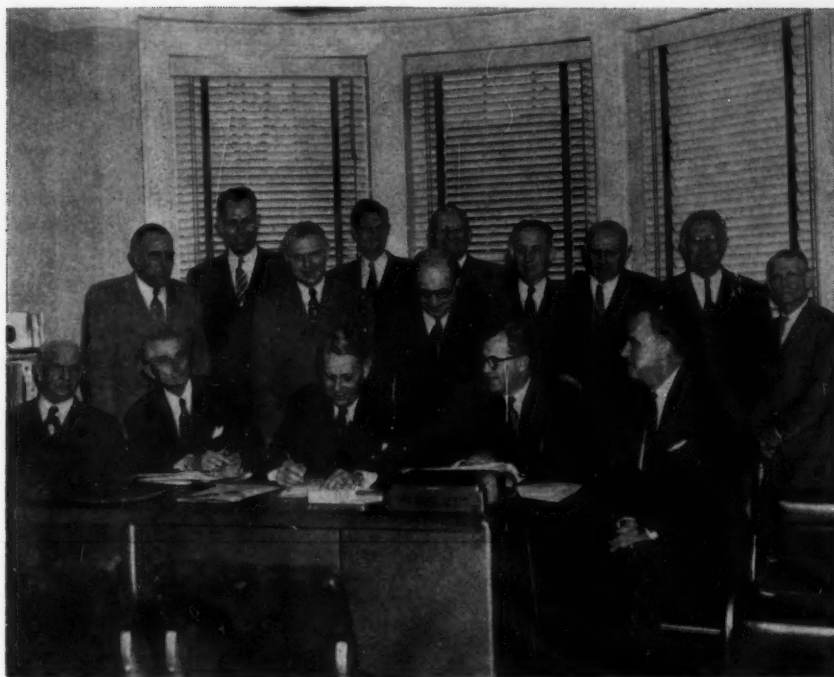
MINISTER, LAWYER, SENATOR



POAU President Edwin McNeill Potat, Attorney Leo Pfeffer and Senator W. Kerr Scott of North Carolina (left to right, above) talk things over before the Seventh Annual POAU Banquet at which Pfeffer spoke on "The Church as an Instrument of National Policy."

CHURCH AND STATE

EXECUTIVE SESSION



Joint sessions of the national board of trustees and national advisory council of POAU were held on January 19 in the national headquarters building, marking the first day of the Seventh National Conference on Church and State. Present when the picture was taken were: (left to right, seated) National Treasurer Edward H. DeGroot, Jr., National Recording Secretary Joseph M. Dawson, National Board Chairman Louie D. Newton, Executive Director Glenn L. Archer and National Board Member Edward B. Willingham; (left to right, standing) National Advisory Councilman Frederick Curtis Fowler, National Board Member Clyde W. Taylor, National Advisory Councilman C. Emanuel Carlson, National Board Member C. Stanley Lowell, National Advisory Councilman Alexander E. Ginsberg, National Advisory Councilman Alvin W. Johnson, Organization Director John C. Mayne, National Advisory Councilman George L. Tappan, National Board Member Frank H. Yost and National Advisory Councilman John D. Elder.

Liberty Needs 'Positive' Concern, Yost Stresses

Complacency, cynicism and indifference were named as basic threats to religious freedom by Dr. Frank H. Yost, associate secretary of the Religious Liberty Association (Takoma Park, Md.) and editor of *Liberty* magazine, in his January 20 keynote address at the Mt. Vernon Place Methodist Church, Washington, D. C., opening the first general session of POAU's Seventh National Conference on Church and State.

Dr. Yost maintained that freedom of conscience thrives only among peoples who are positively concerned with its preservation, and described the work of POAU as a "positive drive to propagate, clarify, and strengthen the fact of religious liberty, and to counteract positively any injury to it, whether in innocence or by calculation."

The speaker observed that a positive champion of religious freedom is often regarded as "making a fuss,"

being "a fanatic and a disturber of the peace," if he is lucky enough to escape being called a downright "bigot." According to Dr. Yost, the persons who see no reason to make a "noise" about religious liberty tend to slide over into an attitude of cynicism which makes them think of great figures of history in the following vein: "Socrates was a fool to get himself into the place where he had to drink the hemlock. John Huss and Savonarola just turned out to be bad fuel; even cottonwood and willow would have burned better. John Bunyan should have kept his mouth shut. George Washington had ulterior motives. Thomas Jefferson was a day-dreamer. John Adams and James Madison were mere irritations. Abraham Lincoln might have lived a lot longer if he had played his cards right."

Dr. Yost, a member of POAU's national board of trustees, said that the organization's creed places it at the opposite pole from the indifferentists or cynics. "We believe," he declared, "that there is a set of right

principles and relations in freedom which have proved themselves in the very practical testing laboratory of human living, and no plea for a misguided toleration or enervating indifferentism can keep us from pointing out foes of freedom, or suspicious tendencies or antecedents.

"We call for the maintenance of separation of church and state. We do not pause at this point to draw close the fine lines of separation. These boundaries must be discussed in open forum and hammered out around the council table. There is still much work to be done here. Each of us could find points upon which to differ from his seat-neighbor. But the field of agreement is amply wide for lovers of religious liberty, and they can meet as may become necessary the common foes, cynicism, invasion of rights and oppression. 'Wall of separation' is not a cliché. It is the succinct phrase which describes the social organization which makes religious liberty a grand reality. Those who would break down this wall are foes of liberty."

Dr. Yost outlined the rights which are bound up with the concept of religious liberty as including the following minimal freedoms:

"1. To be religious, or not to be religious, as one's opinion or conscience may dictate;

"2. To worship or not to worship, without any pope, bishop, priest, pastor, or any king, president, governor or officer of the law bringing political, economic or social pressure upon a man, his person or his goods or affairs because of religious beliefs, worship or association;

"3. To worship alone, or in company with others, at such times or places, public or private, as a man may choose;

"4. Freely to propagate one's faith, by preaching, by the use of literature or other effective means,

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Conference Theme

(Continued from page 1)

recording secretary and former executive director of the Baptist Joint Committee on Public Affairs, and Dr. Charles Clayton Morrison, editor emeritus of *The Christian Century* and a POAU vice-president, whose award was accepted on his behalf by his daughter, Mrs. Jane Dickerson, of Washington.

Excerpts from the major addresses, and other Conference high lights, are given elsewhere in this issue.

Children's Wishes Rule In Two Custody Cases

The preferences of three children involved in custody disputes in Cleveland, O., and Albany, N. Y., were held to be determining in recent court rulings. Pre-nuptial agreements on the religious education of the children were ruled non-enforceable in each case.

Cleveland Common Pleas Judge Daniel Wasserman gave custody of Suzanne Wolk, 10 years old, to her father, Dr. Harry Wolk of suburban Lakewood, who is Jewish; custody of Harry Wolk, Jr., 13 years old, was given to his mother, now Mrs. Anna Leak, who had left the Roman Catholic Church before her marriage to Dr. Wolk by a rabbi in 1937, but returned to it after her divorce from him in 1950 and remarriage to Rex Leak in 1951. The basis for the decision—which the judge termed his “most difficult” one—was the expressed preferences of the two children. The mother had been awarded custody of both children at the time of her divorce and in May, 1952 had had them baptized as Roman Catholics. Judge Wasserman chided her for having done this “without first getting approval of their father,” but declined to take legal notice of the pre-nuptial agreement alleged by Dr. Wolk, according to which the children were to have been raised as Jews. The judge blamed both parents for “creating this situation” and said that he was separating Suzanne and Harry, Jr., with great reluctance because that seemed to be the best solution under the circumstances. His decision was subsequently attacked by the Rev. Peter Cherniss, pastor of St. Luke's Roman Catholic Church, who claimed that both children had been ardent communicants of his church.

A 5 to 2 decision of the New York State Court of Appeals upheld a lower court ruling of last February under which Malcolm Martin, Jr., now 14, was granted his wish to stay with his mother, a Christian Scientist who is separated from her Roman Catholic husband (*Church and State*, November, 1954). The boy was 12 when he first testified in court that he preferred public to Roman Catholic schools and would rather stay with his mother, and the court held that he was sufficiently mature to make such a decision. Concurring in the majority opinion of the appeals court were Chief Judge Edmund H. Lewis and Associate Judges Marvin

R. Dye, Stanley H. Fuld, Charles W. Froessel and John Van Voorhis. Dissenting, Associate Judges Charles S. Desmond and Albert Conway pointed to the pre-marital agreement which Mrs. Martin had signed requiring that the children be raised as Catholics, and to the court order awarding Mrs. Martin a separation in 1949 upon condition that she abide by this agreement. They argued that pre-marital agreements should be deemed enforceable in the absence of definite evidence that enforcement would harm the child.

Panama Papal Stamp Sales to Aid Church

Revenues from a series of “Pius” stamps to be issued by the Republic of Panama will be donated to the Roman Catholic Church “in recognition of the great international task” being performed by Pope Pius XII “in behalf of peace and against the dissolving forces of Communism,” the government announced recently. There will be twelve “Pius” stamps in all, honoring each of the popes bearing that name. These will be followed by 247 others, making a total of 259, each to be adorned with a portrait of a pope, with the selection based on the list of popes “recognized” in records of the Jesuit Library at Regis College, Denver, Colo. (The total number of popes as given in various encyclopedias ranges from 258 to 266.)

Herndon Davis, an American artist whose portraits of World War II admirals have been honored in this country, has been commissioned to do the papal “heads” for the Panamanian stamps. The “Pius” stamps will appear on March 2 (79th birthday of Pius XII) and the rest over a period of years. The originator of the idea is said to have been former President Harmodio Arias.

‘Absolute’ Power of Pope Re-Emphasized by Illness

The illness of Pope Pius XII was the occasion for an article by *New York Times* Rome correspondent Arnaldo Cortesi, published on December 5, in which Cortesi took great pains to demonstrate why fear for the life of the pontiff is causing even graver concern than that which is ordinarily aroused by the illness of a famous person. Cortesi wrote, in part:

“He [the Pope] is . . . one of that small and diminishing group of men who are absolute sovereigns and whose word is law. . . .

“The Sacred College of Cardinals

is often called the Senate of the church, and many people seem to think it helps a Pope in the government of the church or that it has a legislative function like the Senate of the United States. Nothing could be further from the truth. Though the Cardinals of the Curia—that is, those who reside in Rome—are individually in charge of the various branches of the central administration of the church, they have, in normal times, no duties or powers as a body.

“The Sacred College leaps into prominence during the period of the Vacant See after the death of a Pope . . . for it has the responsibility of electing a new Pope. . . .

“The tendency in recent years has been to concentrate an ever greater measure of power and authority in the hands of the Pope. This tendency is well illustrated by the procedures that were adopted to proclaim the last two dogmas that the Catholic Church has defined. In 1870, when the dogma of papal infallibility was defined, it was thought necessary to convoke an Ecumenical Council in which all Catholic bishops in the world were free to express their opinions and vote for or against the proposed dogma. In 1950 Pius XII took entire responsibility upon himself for defining the dogma of the Assumption of Our Lady after merely polling the bishops to make sure that the consensus of the hierarchy was with him. . . .

“So far as the church is concerned, therefore, the Pope is everything. He may, indeed, be said to epitomize the church. He delegates some of his powers to the Roman congregations, which are the approximate equivalents of the departments or ministries of lay Governments. The Pope, however, appoints the Cardinals, who are heads of congregations, and they report to him at least once weekly and must obtain his approval for all their important decisions.

“The best indication, perhaps, of the absolute nature of the Pope's rule over the church is that the Vatican never publishes any document that can even by a stretch of the imagination be regarded as a balance sheet or budget. All funds are paid directly to the Pope and he disposes of them in the way that he considers best. . . .

“ . . . The Pope so completely dominates and overshadows every aspect of life [in the Vatican] that everything seems to be in a state of suspended animation.”

And so it was with Stalin.

Belgian Catholics In School 'Strike'

November 24 was observed as "National Protest Day" by Roman Catholic teachers who were aroused over a government program to cut subsidies to church schools at home and also in the Belgian Congo ("Church and State," June and September). Previously, a resolution adopted at a meeting in Brussels of the Confederation of Christian Trade Unions called for "a scholastic war" and an "education strike" against the government. Roman Catholic teachers were urged to refuse to participate in state-sponsored teachers' conferences.

The Dutch Jesuit newspaper, "De Linie," summed up church complaints by saying that the government had "cynically dismissed" 110 Catholic-educated teachers, was planning "to reduce by 50 per cent the subsidies to Catholic schools and by 25 per cent the salaries of teachers in these schools," had "attacked school mission activities in the Belgian Congo" and "caused difficulties for Louvainum, a Catholic institution and the first university in the Congo."

Education Minister Leo Collard asserts that the government program is designed to "safeguard the economic and social possibilities of the future." Religious trade union officials say the changes will involve transfer of 90,000 parochial school children to state schools, and that old age pensions of over 100,000 "Christian workers" have been withdrawn to help finance the school program.

POAU Warns of 'Dishonor' In Draft Marriage Pact

"The most sacred rights of American citizens have been placed on the bargaining table in recent negotiations between United States military officials and the Government of Spain," POAU Executive Director Glenn L. Archer declared on December 31. "If the proposed 'mixed-marriage' agreement which was reported from Madrid on Christmas Day is actually adopted, it will place an ineradicable stain of dishonor on the record of our nation."

"Since the original announcement was made," Archer continued, "vigorous criticism of the proposal has come from the National Association of Evangelicals and the Dean of the Cathedral of St. John the Divine in New York City, among others, with the result that American officials later announced that the agreement must first be approved in Washington before it can take effect—but we must not

lose sight of the fact that any U. S.-Spanish 'mixed-marriage' agreement, no matter how watered down, would still be grossly offensive to the ideal of religious liberty on which the United States was founded.

"... To propose that an American's relations with his marriage partner be made a matter of 'military regulations,' is to propose a monstrous departure from the basic American heritage of freedom.

"Are we to sacrifice the personal freedom of our servicemen who risk their lives for their country in the very name of freedom? Are we to curb the right of non-Catholic chaplains to perform marriages according to their own conscience and creed? Are we to sacrifice the rights of unborn children in the interest of a foreign dictatorship which is united with an authoritarian church?

"I pray God that none of this shall come to pass."

ACLU Brief Calls for Ban On Garb—But Not on Nuns

The concept of separation of church and state "prohibits the intrusion of any religion into the public school system" and thus makes inadmissible the "wearing of religious garb by teachers while teaching," the American Civil Liberties Union has contended in a "friend of the court" brief filed in the Kentucky appellate court which is considering the eligibility of garbed Roman Catholic sisters to teach in the public schools. At the same time, S. Arnold Lynch of Louisville, ACLU attorney, opposed barring teaching sisters as a group from public school positions. The issue is before the court as a result of an appeal filed by POAU's Kentucky affiliate against a lower court ruling in favor of the garbed sisters ("Church and State," January).

Lynch argued that the test of a teacher's fitness "does not depend upon his creed, religion, ideologies, or associations" but rather upon "the integrity of his work with his students." Distinctive religious garb, he said, is bound to exercise an unconscious sectarian influence upon the pupils, and the granting of the privilege to one religious order would "require extension of like permission to members of other religions" with the eventual prospect that "the public schools would become a competitive forum among the various religions." Eugene Siler, congressman-

elect for the Eighth District and attorney representing the plaintiff, has argued that the vows taken by the sisters are inevitably in conflict with the non-religious role which public school teachers must perform.

The ACLU brief was attacked by the Louisville Roman Catholic archdiocesan newspaper, *The Record*, which scoffed at Lynch's contention that "if the Religious refuse to teach unless they can wear their garb, then the injunction [against public school employment] is 'self-imposed.'" The *Record* called this a "sensational" example of question-begging, and insisted that teaching sisters have a right to wear garb even in the public schools.

Yost Hits Indifference

(Continued from page 5)

by teaching, or by private conversation, in buildings or in the open air, for the purpose of persuading others to join him in his beliefs and worship;

"5. To change one's religious beliefs and practices, without any influence but kindly persuasion being put upon him to change or not to change, and without any adverse consequences being brought to bear by society or the state because of a change of views;

"6. To use the processes of education, other than public, or prepare oneself and others to propagate his faith and to seek to convince others of its validity;

"7. To be free to exercise these rights without the need of securing from governmental or other public agencies of society any permit or license other than for the furnishing and recording of reasonable identification."

In summation, Dr. Yost contended that such points as these must be insisted upon "always with the proviso that a man's freedom in religion *must not trespass upon the peaceful existence and religious liberty of his fellowman.*" Church-state union, particularly as practiced in the Roman Catholic tradition, he observed, makes the enjoyment of liberty impossible because of the confusion of religious and civil functions and the use of coercion in matters of conscience. "The church, wearing the skirts, has always tried to act as though it wore the pants of government," Dr. Yost said.

Marital Pact 'Mess' Hurts U. S. — Stuber

American leadership among nations has been jeopardized by the recent "mess" which developed in Spain on the question of marital rights of U. S. personnel stationed there, the Rev. Dr. Stanley I. Stuber, chairman of the commission on religious liberty of the Baptist World Alliance, declared on January 20 in his address at a luncheon held at the Mt. Vernon Place Methodist Church dining hall during POAU's Seventh National Conference on Church and State.

"This proposed deal with an authoritarian church-state," said Dr. Stuber, "shows very plainly how far some will go for the sake of so-called security. We claim, as a government, that military bases must be established in Spain to save the world for freedom and democracy. We therefore spend several hundred million dollars of our tax money to lease the bases. But in order to utilize them, to get any value out of them, we put American citizens there—the majority of whom happen to be Protestants. At this point the Roman Catholic Church steps in and demands that it control the marriage laws of our citizens in Spain. . . . We lose, in the end, just what we are supposed to be defending, that is, freedom and religious liberty.

"The implications of this marriage deal are far more serious than appears on the surface. We are here, as a government, mixed up in a terribly dangerous 'mess' involving a Roman Catholic Chaplain, Cardinal Spellman, a Major General, the church-state of Franco Spain, and the Roman Catholic hierarchy in Rome. Thus the circle is complete.

In the final analysis the Vatican dictates basic policies of the U. S. government. The separation of church and state goes by the board. The Pope knocks down the wall of partition and the Roman Catholic Church becomes in principle and, at certain points in reality, the official religion of this nation."

A close student of Far Eastern affairs (he is chairman of the Council on Christian Higher Education in Asia and general secretary of the Japan International Christian University Foundation), Dr. Stuber said that every "surrender of principle" by the United States in such matters as the proposed marital pact tended to lower this nation's prestige in the eyes of democratic leaders in India, Japan and other potentially friendly countries. He added that not only United States, but also United Nations, changes in policy with regard to Spain have been a series of "surrenders," and contended that "while the democracies change, alter, side-track and reverse themselves, Franco Spain, like the Roman Catholic Church, remains exactly the same." He characterized the church-state relationship in Spain as one involving "two totalitarian systems working hand in hand, although not . . . always in perfect harmony." Friction was bound to arise, he explained, because "two absolute powers cannot be absolutely supreme both at the same time," even when their "bond is sealed with a concordat."

Dr. Stuber declared that the way to strengthen the American position in the world is to preach and practice "a consistent policy of high moral and spiritual principles." He said that "in order to be true to our own convictions and thus win the friendship of the free countries of the world, we must deliberately and without hesi-

Blanshard to Speak At POAU Meetings

Paul Blanshard, who has been almost completely absorbed in research and writing for the past year, will return to the speaker's platform this month to deliver a series of talks at POAU meetings in Florida. Readers of his epoch-making books on "American Freedom and Catholic Power," "Communism, Democracy, and Catholic Power," and "The Irish and Catholic Power," will welcome the opportunity to see and hear him again in action, together with Executive Director Glenn L. Archer, who will join him in the tour.

POAU Organization Director John C. Mayne and former Schools Superintendent William A. Cook of North College Hill, O., will precede the author to Florida to arrange details of the meetings and to prepare for other meetings in Georgia and neighboring states to be addressed by POAU President Edwin McNeill Poteat and Board Chairman Louie D. Newton.

tation seek to change, by every honest and just method outside of war, the church-state dictatorship as it is now established in Franco Spain, as well as the state-versus-church dictatorship which now exists in Soviet Russia." The speaker noted that such a policy would be in line with the 1946 United Nations recommendation "that if, within a reasonable time, there is not established (in Spain) a government which derives its authority from the consent of the governed, committed to respect freedom of speech, religion and assembly and to the prompt holding of an election in which the Spanish people, free from force and intimidation and regardless of party, may express their will, the Security Council consider the adequate measure to be taken in order to remedy the situation." Concluding, Dr. Stuber said:

"Wherever the Stars and Stripes go, wherever Old Glory flies, there let freedom be—now and forevermore.

"Spain needs a realistic demonstration of true religious liberty. Now that we have obtained bases in Spain let us give her a taste of freedom, and she may ask for more. There are many indications that she would, given half a chance. Here is the way to win the 'cold war' in Spain, in the Far East, at home, everywhere—by being and remaining free."

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